

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

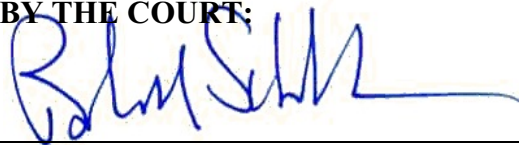
<b>JAYSON POWELL,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
v.	:	
	:	
<b>PAUL DECARLO, et al.,</b>	:	<b>No. 12-762</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 31<sup>st</sup> day of **July, 2012**, upon consideration of Defendants' Motion to Dismiss Counts II, V, X and XIII as well as all claims against the Philadelphia Police Department pursuant to Federal Rule of Civil Procedure 12(b)(6) for Failure to State a Claim, Plaintiff's response thereto, and for the reasons stated in the Court's Memorandum dated July 31, 2012, it is hereby **ORDERED** that the motion is **GRANTED in part** and **DENIED in part**, as follows:

1. The motion is **GRANTED** with respect to Count II (Title VI) and XIII (Defamation). Count II and Count XIII are **DISMISSED with prejudice**.
2. The motion is **GRANTED** with respect to all claims against the Philadelphia Police Department. All claims against Philadelphia Police Department are **DISMISSED with prejudice**.
3. The motion is **DENIED** with respect to Counts V (False Arrest Under Federal Law) and X (False Imprisonment).

**BY THE COURT:**



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**Berle M. Schiller, J.**